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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Tenth session
Geneva, 22 August - 2 September 1994
Item 8 of the provisional agenda

ARRANGEMENTS FOR THE FIRST SESSION OF THE CONFERENCE OF THE PARTIES, INCLUDING AGENDA AND ORGANIZATION OF WORK

Note by the interim secretariat

I. PREPARATIONS FOR HOSTING THE CONFERENCE

1. At its ninth session, the Committee was informed that the General Assembly at its forty-eighth session had welcomed the invitation of Germany to host the first session of the Conference of the Parties (COP 1) in Berlin and had agreed that the session should be held there from 28 March to 7 April 1995. Recognizing that Article 7.4 of the Convention provides that the first session of the COP "shall take place not later than one year after the date of entry into force of the Convention", it was agreed that the Executive Secretary would write to Parties requesting their consent to the session being convened on the above dates, that is, one week later than stipulated in Article 7.4 (A/AC.237/55, para. 133). Subsequently, the Executive Secretary obtained the consent of those States that were Parties on the date of entry into force of the Convention (21 March 1994) to holding the session on the above-mentioned dates.

2. According to General Assembly resolution 40/243, of 18 December 1985, when a government issues an invitation for a session to be held within its territory, it must agree to defray the actual additional costs directly or indirectly involved, after consultation with the United Nations on their nature and possible extent. The interim secretariat has thus been holding discussions with the Government of Germany in order to conclude an agreement with that Government to host the first session of the Conference of the Parties.

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3. The agreement will contain specific provisions with regard to the date and place of the session, attendance, premises, equipment, utilities and supplies, security, transportation, local personnel, privileges and immunities and any other matters which may be necessary for the session.

4. The Government of Germany has informed the interim secretariat that the session will take place at the International Congress Center Berlin (ICC Berlin). The ICC Berlin provides the necessary premises in which to accommodate the session, including conference rooms for informal meetings, office space and other working areas. The conference rooms are equipped for simultaneous interpretation in six languages and have facilities for sound recording, as well as for press, television, radio and film operations, to the extent required by the United Nations. Additional information will be provided as the preparations for the session advance.

II. ORGANIZATION OF WORK

A. Participation

5. Formal notification of the first session will be communicated to the permanent missions in Geneva and New York of all Parties to the Convention, as well as observers referred to in Article 7.6 of the Convention. The notification will request that the representatives of Parties be provided with full powers to participate in the session, including the possibility to serve as officers of COP 1, and any sessional committees, working groups or subsidiary bodies, and as officers of the subsidiary bodies established by the Convention.

6. Owing to the wide range of matters that are to be decided by the COP, and in order to assure effective participation of Parties during COP 1, the Committee may wish to recommend that Parties include in their delegations representatives with the capacity to deal with the various economic, social, and environmental issues at the national level that are relevant to the work of the Convention.

7. In accordance with paragraph 15 of General Assembly resolution 47/195 of 22 December 1992, the special voluntary fund, established under paragraph 10 of General Assembly resolution 45/212 to support the participation of developing and other countries, will be maintained up to COP 1. It is hoped that it will be possible to finance the participation of at least one delegate each from eligible developing and other Parties in the session.

B. Notes on possible agenda items

1. Opening of the session

8. The Convention establishes that the first session of the Conference of the Parties shall be convened by the interim secretariat (see Articles 7.4 and 21 of the Convention). Accordingly, the head of the interim secretariat will open the session and call for the election of the President.

2. Election of the President

9. In accordance with rule 22 of the draft rules of procedure of the Conference of the Parties, "at the commencement of the first meeting of each ordinary session, a President, **four** Vice-Presidents and a Rapporteur shall be elected from among the representatives of the Parties present at the session. They will serve as the Bureau of the COP. Each of the five regional groups **and the Parties that form the Alliance of Small Island States** shall be represented by one Bureau member. The offices of President and Rapporteur shall normally be subject to rotation among these groups." (See document A/AC.237/WG. II/L.8; emphasis is shown as in the present draft of that rule.) Initially, the Conference of the Parties will be invited to elect the President. The election of the other officers will be conducted by the President at the appropriate point in the proceedings.

10. It would be desirable for informal consultations on the election of officers to be held during the tenth and eleventh sessions of the Committee, so that such elections may proceed expeditiously at COP 1. Such consultations could also cover the election of the officers of the subsidiary bodies, as suggested in paragraphs 18 and 19 below.

3. Statements at the opening of the session

11. Following a statement by the newly-elected President, it would be appropriate for the Secretary-General of the United Nations, or his representative, and a representative of the host country, as well as executive heads of partner organizations invited to do so, to address the participants.

4. Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change: statement by the Chairman

12. The Committee will conclude its work at its eleventh session, when it is expected to complete the adoption of recommendations to COP 1. A statement by the Chairman of the Committee, describing the results of the Committee's work, may be presented as an introduction to the tasks to be carried out by COP 1.

5. Presentation of documentation by the interim secretariat

13. The Executive Secretary will introduce the documentation prepared by the interim secretariat for COP 1.

6. Organizational matters

(a) Adoption of the agenda

14. The COP will have to adopt an agenda for its first session. The Committee may wish to prepare a provisional agenda to guide the preparation for the session and to facilitate the work of the COP.

15. A list of possible elements for a provisional agenda is contained in the annex to this note. It should be noted that item 8 of that list includes the tasks specified in the Convention for action by the first session of the Conference of the Parties, in accordance with the decision taken by the Committee at its sixth session (A/AC.237/24, paras. 44 and 45).

(b) Adoption of the rules of procedure

16. The President will invite the COP to consider and adopt the rules of procedure of the Conference of the Parties. It is hoped that these will have been drawn up and agreed upon by the Committee (see document A/AC.237/58).

(c) Election of the other officers of the COP

17. The President will invite the COP to elect the remainder of its officers according to rule 22 of the draft rules of procedure (see paragraph 9 above).

(d) Election of chairmen of subsidiary bodies

18. It is suggested that the chairmen and other officers of the subsidiary bodies be elected during COP 1 (see document A/AC.237/64, para.18).

19. As provided for in rule 27, paragraphs 3 and 4, of the draft rules of procedure, and unless otherwise decided by the COP, the chairmen of the subsidiary bodies shall be elected by the COP, while other officers of the subsidiary bodies are to be elected by the body concerned. After the election of the chairmen of the subsidiary bodies by the Conference of the Parties, the two subsidiary bodies may meet consecutively for the election of their other officers.

(e) Organization of work

(i) Schedule of meetings

20. A tentative schedule of meetings will be proposed based on the availability of facilities during normal working hours. It is planned that services will be available for two concurrent meetings with interpretation.

(ii) Allocation of tasks

21. It is suggested that the session be organized in two major segments: a segment at the level of senior officials in which Parties could advance negotiations on any issues that were not resolved at the eleventh session of the Committee and prepare draft decisions thereon; and a brief ministerial segment during which the COP will finalize and adopt decisions.

22. The Committee may wish to consider this suggestion and, if it agrees with it, recommend the duration of each segment. The Committee may also wish to consider whether it would be

(f) Credentials

23. The credentials of representatives, as well as the names of alternate representatives and advisers, shall be submitted to the secretariat in accordance with rule 19 of the draft rules of procedure. The credentials must be issued either by the Head of State or Government or by the Minister of Foreign Affairs. The Bureau of COP 1 will examine the credentials and will submit its report to the COP (see rule 20 of the draft rules of procedure).

(g) Representation of intergovernmental organizations and non-governmental organizations as observers

24. In pursuance of Article 7.6 of the Convention, and unless otherwise advised by the Committee, the interim secretariat intends to write to intergovernmental and non-governmental organizations that have been participating in the Committee, inviting them to express their wish to be represented as observers at COP 1. The names of those organizations that wish to be represented would be communicated to the Committee at its eleventh session. Invitations to these organizations to be represented at COP 1 as observers would be confirmed after the eleventh session of the Committee.

7. Status of ratification of the Convention

25. An up-to-date status report on the ratification of the Convention will be before the COP for its information.

9. Activities of the interim secretariat, including review of extrabudgetary funding

26. At its ninth session, the Committee endorsed the view that the interim secretariat would need to continue to function after COP 1 during a transitional period ending on 31 December 1995 and that the permanent secretariat should thus start operations with effect from 1 January 1996.

27. Consequently, the Executive Secretary will report to COP 1 on the activities of the interim secretariat, on administrative and budgetary questions, and on the need for extrabudgetary funds. This report will include information on arrangements for the functioning of the interim secretariat until 31 December 1995.

10. Date and venue of the second session of the COP and calendar of meetings of the subsidiary bodies of the Convention

28. COP 1 will decide on the date and venue of its second session. It is suggested that officers of subsidiary bodies could meet informally during COP 1 to discuss elements of the work programme of these bodies, including a schedule for their meetings, on the basis of recommendations from the Committee (see document A/AC.237/64, para. 20).

Annex

LIST OF POSSIBLE ELEMENTS FOR A PROVISIONAL AGENDA FOR THE FIRST SESSION OF THE CONFERENCE OF THE PARTIES (BERLIN, 28 MARCH - 7 APRIL 1995)

1. Opening of the session.

2. Election of the President.

3. Statements at the opening of the session.

4. Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change: statement by the Chairman.

5. Presentation of documentation by the interim secretariat: statement by the Executive Secretary.

6. Organizational matters:

   (a) Adoption of the agenda;
   (b) Adoption of the rules of procedure;
   (c) Election of the other officers of the Conference of the Parties;
   (d) Election of the chairmen of subsidiary bodies;
   (e) Organization of work;
   (f) Credentials;
   (g) Representation of intergovernmental organizations and non-governmental organizations as observers.

7. Status of ratification of the Convention.

8. Tasks for action by the first session of the Conference of the Parties:

   (a) Matters relating to commitments:

      (i) First review of information communicated by each Party included in Annex I to the Convention, including:

         a. Review of national communications - compilation and synthesis, including the overall effects of policies and measures;

         b. Application of Articles 4.6 and 4.10 (if required);

c. Process for the ongoing review of information, including guidelines for the preparation and periodicity of communications, and operational procedures for transmission, distribution and translation;

(ii) Methodological issues;

(iii) Review of the adequacy of commitments in Article 4, para. 2 (a) and (b) and decisions on follow-up;

(iv) Criteria for joint implementation and arrangements for a pilot phase;

(v) The roles of the subsidiary bodies established by the Convention;

(vi) Report on implementation.

(b) Matters relating to arrangements for the financial mechanism and for technical and financial support to developing country Parties:

(i) Implementation of Article 11 (Financial mechanism), paras. 1-4, including:

a. Guidance on policies, eligibility criteria and programme priorities;

b. Determination of "agreed full incremental costs";

c. Determination of funding needs;

d. Consideration of a report of the interim operating entity;

f. Consideration of the maintenance of the interim arrangements referred to in Article 21.

(ii) Provision to developing country Parties of technical and financial support.

(c) Procedural, institutional and legal matters:

(i) Designation of a permanent secretariat and arrangements for its functioning, including financial rules of the Conference of the Parties and of the subsidiary bodies established by the Convention;

(ii) Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13).

9. Activities of the interim secretariat, including review of extrabudgetary funding.

10. Date and venue of the second session of the COP and calendar of meetings of the subsidiary bodies of the Convention.

11. Other matters.

12. Adoption of the report of the Conference of the Parties.